

**REMARKS**

Claims 1-7 stand rejected under 35 USC §103(a) as being unpatentable over Bernstein in view of Waters. Applicants have amended claims 1-6 to further distinguish over the cited references, but otherwise respectfully traverse this rejection.

Waters discloses a system for recognizing humans near a computer.

Bernstein discloses a kiosk that displays a graphic or video if the kiosk has failed to detect user input for a predetermined period of time, in order to attract a new user to the kiosk.

The references fail to disclose each of every element of Applicants' claims.

The Bernstein approach to attracting a person to a kiosk is based upon a different initial condition. Bernstein displays information upon failing to sense someone using the kiosk. However, Applicants display information upon sensing someone via a motion sensor.

Applicants time a time period for a different purpose than Bernstein. Applicants time a time period following detection of a person. Bernstein times a time period following failure to record user input.

Finally, Bernstein fails to display second information if a detected user fails to use the kiosk within a time period.

The prior art made of record but not relied upon has been noted.

In view of the foregoing remarks, Applicants respectfully submit that claims 1-7 are in condition for allowance. Action to that end is hereby solicited.



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Marked up version of amended claims

1. (amended) A method of displaying information by a network kiosk comprising the steps of:

sensing a person within a predetermined distance of the kiosk;

displaying first information in response to said sensing step;

timing a time period of displaying the first information; and

displaying second information if the person does not begin use of the kiosk within the time period.

2. (amended) A method of displaying information by a network kiosk comprising the steps of:

sensing a person within a predetermined distance of the kiosk;

displaying first information in response to said sensing step;

timing a time period of displaying the first information; and

displaying second information if the person is no longer within the predetermined distance of the kiosk and the time period has expired.

3. (amended) A method of displaying information by a network kiosk comprising the steps of:

displaying first information;

sensing a person within a predetermined distance of the kiosk;

displaying second information in response to said sensing step;

timing a time period of displaying the second information; and

displaying third information if the person is no longer within the predetermined distance of the kiosk and the time period has expired.

4. (amended) A method of displaying information by a network kiosk comprising the steps of:

displaying first information;

sensing a person within a predetermined distance of the kiosk;

determining second information for display in response to said sensing step;

displaying the second information;

timing a time period of displaying the second information to wait for the person to operate the kiosk;

determining third information for display when the person is no longer within the predetermined distance of the kiosk and the time period has expired; and displaying the third information.

5. (amended) A network kiosk comprising:  
a display for displaying information;  
a proximity sensor; and  
a computer which senses a person within a predetermined distance of the kiosk, displays first information in response to sensing the person, times a time period of displaying the first information, and displays second information if the person does not begin use of the kiosk within the time period.

6. (amended) A network kiosk comprising:  
a display for displaying information;  
a proximity sensor; and  
a computer which senses a person within a predetermined distance of the kiosk, displays first information in response to sensing the person, times a time period of displaying the first information, and displays second information if the person is no longer within the predetermined distance of the kiosk and the time period has expired.